



UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

United States of America

v.

SINGH, Malkiat

Defendants

Case No. 8:19-MJ-222 (GLF)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 07, 2019 in the county of Franklin in the NORTHERN District of

NEW YORK, the defendants violated 8 U. S. C. § 1324 (a)(1)(A)(ii), an offense described as follows:
 _____ (a)(1)(A)(v)(I) & (B)(i)

Malkiat SINGH did knowingly and in reckless disregard of the fact that an alien has come to, entered, or remains in the USA in violation of law, transport, move or attempt to transport or move, and aided and abetted and conspired to commit the transportation and movement of such alien within the USA by means of transportation or otherwise, in furtherance of such violation of law.

The criminal complaint is based on these facts:

Continuation Sheet, United States v. Malkiat SINGH

On April 7, 2019, a Massena Customs and Border Protection ("CBP") Officer contacted United States Border Patrol Agents at the Massena Border Patrol Station regarding a white Ford F-150 being driven by SINGH, Malkiat that had crossed into the United States from Canada at the Massena Port of Entry. The CBP officer suspected that the vehicle was involved in alien smuggling because it was being driven by one man with no passengers, but contained pink luggage that had women's clothing in it.

Agents responded and observed the white F150 traveling eastbound on State Route 37. The vehicle traveled east until arriving at the Akwesasne Mohawk Casino located in Hogansburg, NY. The driver, SINGH, Malkiat exited the vehicle and walked toward the main entrance of the casino. Approximately three minutes later SINGH, Malkiat returned to his vehicle and was talking on his cell phone. The vehicle departed the casino parking lot and traveled westbound on State Route 37 until reaching the Brass Horse Bar & Grill. The white F150 remained at the Brass Horse Bar & Grill for a few minutes before relocating to the Truck Stop # 9 gas station, which is the neighboring business.

The Truck Stop #9 gas station is often used by smugglers because it serves as a well-known landmark and allows smugglers to mask their illicit activity through blending in with legitimate traffic. It is also located approximately two miles from the international boundary with Canada, located in Hogansburg in the Northern District of New York. The vehicle parked at a parking spot close to the main entrance of the gas station. SINGH, Malkiat exited the white Ford F150 and entered the gas station. Shortly thereafter, agents observed a four door sedan leaving the Brass Horse parking lot and entering the Truck Stop #9 gas station. The sedan backed in close to the gas pumps where an agent witnessed a female subject exit the sedan and enter the white Ford F150. The white Ford exited the Truck Stop #9 gas station and headed east bound on State Route 37 before entering the casino parking lot. The white Ford F150 remained in the casino parking lot for short time and then began traveling eastbound on State Route 37.

A few minutes later, marked USBP arrived where the Ford F150 was traveling, activated their emergency lights, and yielded the white Ford F150 on the Foy-Eldred Road in the town of Bombay, NY.

An agent approached the vehicle and identified himself as a United States Border Patrol Agent. Agents roadside were not able to verify all immigration status of all parties in the vehicle. Agents then transported all parties, the vehicle, and its contents back to the Massena Border Patrol Station for further investigation.

At the Massena Border Patrol Station, fingerprints of the passenger, Dimple SINGH, were taken utilizing the IDENT/IAFIS system and it was discovered that Dimple SINGH was a citizen and native of India. Record checks revealed that Dimple SINGH had no legal status to stay or remain in the United States. Fingerprints were also taken from the driver Malkiat SINGH and it was discovered he was a naturalized United States Citizen.

Malkiat SINGH waived his Miranda Warnings and agreed to speak with agents. Malkiat SINGH stated that the passenger Dimple SINGH was his girlfriend and that he drove her from Kingston, Ontario to Montreal, Quebec with the purpose of having her brought into the United States.



Complainant's signature

Nicholas Jacques, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: April 08, 2018

City and state: Plattsburgh, New York



Judge's signature

Gary L. Favro, U.S. Magistrate Judge, N.D.N.Y.